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Gorin v. U.S. – 312 US 19 (1940)

The clause "or other place connected with the national defense" §1(a) "is not an unusual manner of protecting enactments against inadvertent omissions". (p. 25), §1(a) ~~sets out~~ lays down the test of purpose and intent and the places to be protected and in 1(b) covered much of the contents of such places. §2(a) covers the delivery of these movable articles or information to a foreign nation or its agent. It is a crime to obtain or deliver, in violation of the intent and purposes specified, the things described in §§1(b) + 2(a) without regard to their connection with the places & things §1(a). It does not have to be connected with the places in 1(a). The thing protected must be "connected with" or "relating to" the national defense. The delimitations are those requiring intent or reason to believe, requiring those prosecuted to have acted in bad faith. Knowledge must be established. National defense "is a generic concept of broad connotations, referring to the military and naval establishments and the related activities of national preparedness." The ct agrees that these words in the Esp. Act carry that meaning. Whether a doc. or report is covered by §§1(b) or 2(a) depends upon its relation to the national defense, so as defined not upon its connection with places specified in §1(a). The evil which the statute punishes is the obtaining or furnishing of this guarded information, either to one's self or another's gain.

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US v. Mayer — 252 F 868
US v Nagler — 252 F 217; 254 US 661
White v. US — 263 F 17 (certden)
Anderson v US — 264 F 75 (certden) 269 F 65 273 F 20
U.S. v. Sugarman — 245 F 604; 249 US 182
Smitkin v. U.S. — 265 F 489
Schaefer v. U.S. — 251 US 466
U.S. v. Baker — 247 F 124
Debs v. US — 249 US 211
Doll v. U.S. — 253 F 646
US v. Binder — 253 F 978
Rolf v. U.S. — 259 F 388
U.S. v. Motion Picture Film — 252 F 946
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U.S. v. Boutin
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Dierkes v. U.S. — 274 F 75 (certden)
Kirchner v. U.S. — 255 F 301; 250 US 678
Mead v. U.S. — 257 F 639
Haywood v. US — 268 F 795 (certden)
St John v. US — 268 F 808
Enfield v. U.S. — 261 F 141
Reider v. U.S. — 262 F 36 (certden)
U.S. v. Wells — 262 F 833
Sykes v. US — 264 F 945 (certden)
U.S. v. Ault — 263 F 800
Clark v. US — 265 F 104
Stilson v. US — 250 US 583
Mahler v. Eby — 264 US 32
Sandberg v. U.S. — 257 F 643
[redacted]
Granzow v US — 261 F 17
U.S. v. Pape — 253 F 270
D'Haso Firth v US — 253 F 36
US v. Gallemmi — 245 F 977
Wessels v. U.S. — 264 F 38

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O'Connell v. US – 253 US 142
U.S. v. Burleson – 255 US 407
Abrams v. U.S. – 250 US 616
Egni v. US – 261 F 53 (cert den)
Frohwerk v. U.S. – 249 US 204
U.S. v. Amer. Socialist Soc. – 260 F 885, (cert den) 266 F 282
U.S. v. McDonald – 265 F 754, 256 US 705
246 F 24; 260 F 811; 261 F 141; 262 F 36; 264 F 733;
265 F 489; 268 F 83, 308
Heymacher v. US – 257 F 61 (cert den)
Dodge v. US – 258 F 300 (cert den)
U.S. v. Pierce – 245 F 878, aff'd 252 US 239
U.S. v. Prieth – 251 F 946
Hickson v. US – 258 F 867
Schenck v. US – 249 US 47
Schumann v. US – 258 F 233 (cert den)
Wimmer v. US – 264 F 11 (cert den)
Lockhart v. US – 264 F 14 (cert den)
Ex Parte Starr – 263 F 145
Balbas v. US – 257 F 17
U.S. v Schutte – 252 F 212
U.S. v. Keaning – 252 F 223
Schidler v. U.S. – 257 F 620
U.S. v. Dombowski – 252 F 894
U.S. v. Hall – 248 F 150
Doe v. US. – 253 F 903
Fairchild v. U.S. – 265 F 584
O'Hare v. US – 253 F 538 (cert den)
Deason v. US. – 254 F 259 (cert den)
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US v. Schulze – 253 F 377; 259 F 189
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Gorin v. United States — 312 U.S. 19 ✓
Ex parte Quirin — 317 US 1
Hirabayashi v. U.S. — 320 US 81

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~~316 US 19, 315~~

~~314 US 54~~

~~316 US 649~~

46 FS 254

~~315 US 780~~

~~317 US 98, 27~~

~~3 [illegible] US 104, 129, 95~~

121 Fed 77

143 Fed 299

152 Fed 58

~~320 US 85~~

151 Fed 816

40 OAG No 58

148 ALR 1442, 1472

65 FS 559

~~315 US 479~~

~~322 US 680, 81~~

135 Fed 915

41 FS 28

48 FS 480, 988, 986

52 FS 592

53 FS 873

56 FS 240, 250

146 Fed 7

~~325 US 85~~

39 FS 266

54 FS 588

60 FS 917

~~323 US 319, 314~~

132 Fed 172, 170

135 — 92, 93

138 — 241, 140, 169, 174, 977

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151 — 183, 813, 184

54 FS 588, 781

60 FS 917, 931

24 FS 867

115 Fed 375

97 Fed 253

26 FS 583

108 Fed 625

155 Fed 296

65 FS 559

48 FS 988

150 — 98

146 — 254

~~138 Fed 169~~, 977

136 Fed 879

130 Fed 1013

14 Fed 1

148 — 376

152 — 1

153 — 999

~~78~~

57 FS 591

3 FRD 118

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Note again 325 US 101
322 US 686

322 US 680 rev ~~[illegible]~~

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9/328 Halsbury's Laws of England
2nd ed. 323 - 332
1911 (1 + 2 Geo 5, c 28 as amended
1920 (10 + 11 Geo 5, c. 75)

It is not necessary to prove a particular act tending to show a purpose prejudicial to the safety or interests of the State. It is sufficient if from the circumstances of the case, or from the conduct or known character of the accused as proved, it appears that such was his purpose, seemed to have been made for such a purpose where obtained, collected, published or communicated by any other than person acting under lawful authority, unless contrary is proved.

R v Parrott (1913), 8 Cr. App. Rep. 186
15 Digest 659, 7104
R v. Sinnington [1921] 1 KB 451, CCA
15 Digest 659, 7106
R v Crisp (1919) 83 J. P. 121, CCA
15 Digest 659, 7105

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